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ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

101195-65

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

TBA

10/019452

INTERNATIONAL APPLICATION NO  
PCT/EP00/02062

INTERNATIONAL FILING DATE  
9 March 2000 (09.03.00)

PRIORITY DATE CLAIMED  
9 March 1999 (09.03.99)

TITLE OF INVENTION

Therapy and Use of Compounds in Therapy

APPLICANT(S) FOR DO/EO/US

Stefan Anker; Andres Coates; Hans-Dieter Volk; Ralf Reiner Schumann; Mathias Plauth

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31)
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409)
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)

1013 Rec'd PCT/PTO 19 OCT 2001

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.01) <b>10/019452</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP00/02062</b>		ATTORNEY'S DOCKET NUMBER <b>101195-65</b>																			
24. The following fees are submitted.. <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b> <div style="margin-left: 20px;"><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1040.00</b> <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$890.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$740.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$710.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b></div> <div style="text-align: right; margin-right: 50px;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				<b>CALCULATIONS PTO USE ONLY</b>																			
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<b>\$890.00</b>																			
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th style="width:15%;">CLAIMS</th><th style="width:20%;">NUMBER FILED</th><th style="width:20%;">NUMBER EXTRA</th><th style="width:10%;">RATE</th><th style="width:15%;"></th><th style="width:10%;"></th></tr></thead><tbody><tr><td>Total claims</td><td>23 - 20 =</td><td>3</td><td>x \$18.00</td><td><b>\$54.00</b></td><td></td></tr><tr><td>Independent claims</td><td>1 - 3 =</td><td>0</td><td>x \$84.00</td><td><b>\$0.00</b></td><td></td></tr></tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	23 - 20 =	3	x \$18.00	<b>\$54.00</b>		Independent claims	1 - 3 =	0	x \$84.00	<b>\$0.00</b>		<b>\$130.00</b>	
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Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>																			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,074.00</b>																			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				<b>\$537.00</b>																			
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>																			
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				Amount to be: refunded \$																			
				charged \$																			
<div style="margin-left: 20px;"><p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p><p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>14-1263</u> in the amount of <u>\$537.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p><p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>14-1263</u> A duplicate copy of this sheet is enclosed.</p><p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p></div>																							
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="border: 1px solid black; width: 400px; height: 150px; margin-top: 5px;"></div> <p style="margin-top: 5px;">correspondence address associated with Customer No. 27387</p>																							
				<div style="text-align: center;"> SIGNATURE <b>Bruce S. Londa</b> NAME <b>33,531</b> REGISTRATION NUMBER <b>October 18, 2001</b> DATE</div>																			

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): Stefan Anker et al.	Docket No. 101195-65
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Serial No. TBA	Filing Date Concurrently Herewith	Examiner TBA	Group Art Unit TBA
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Invention: **Therapy and Use of Compounds in Therapy**

I hereby certify that the following correspondence:

**U.S. National stage appln of PCT/EP00/02062 and Petition to revive; preliminary amendment**

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on October 18, 2001  
*(Date)*

**Kathleen D. Monical**  
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JC13 Rec'd PCT/PTO 19 OCT 2001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Docket No. 101195-65

APPLICANT : Stefan Anker et al.  
FILED : Concurrently Herewith  
FOR : Therapy and Use of Compounds in Therapy

PRELIMINARY AMENDMENT

Hon. Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Prior to examination, please amend the application as follows:

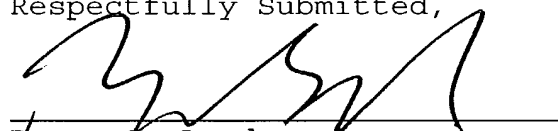
**IN THE CLAIMS**

Please amend the claims in accordance with the attached marked-up pages. A clean copy of the amended claims is also enclosed.

**REMARKS**

The above amendments were made to place the claims into proper United States Patent Format.

Respectfully Submitted,



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Amended Claims - Marked-Up Copy

1. A method of treating or ameliorating body wasting or cachexia in a patient with liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis in a patient the method comprising administering to the *patient* an effective amount of a compound that is able to reduce the production, *absorption and/or* the effect of an endotoxin (lipopolysaccharide; LPS).

2. (amended) A method ~~of~~ according to claim 1, further treating, preventing or ameliorating endotoxin-mediated immune activation in body wasting or cachexia in a patient with liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis the method comprising administering to the patient an effective amount of a compound that is able to reduce the production, absorption and/or the effect of an endotoxin (lipopolysaccharide; LPS).

3. (amended) A method according to claim 1 ~~and 2~~ wherein the compound is able to bind to an endotoxin (lipopolysaccharide; LPS) molecule.

4. (amended) A method according to claim 1 ~~to 3~~ wherein the compound is able to reduce the available endotoxin in the patient.

10. (amended) A method according to claim 1 ~~to 4~~ wherein the treatment is a combination of a compound according claim 7 and claim 9.

Amended Claims - Marked-Up Copy

11. (amended) A method according to claim 1 ~~to 4~~ wherein the compound is or an antibody capable of binding to endotoxin (lipopolysaccharide; LPS).

12. (amended) A method according to claim 1 ~~to 4~~ wherein the compound is or an antibody capable of binding to endotoxin (lipopolysaccharide; LPS).

13. (amended) A method according to claim 1 ~~to 4~~ wherein the compound is an antibody able to bind to the CD14 receptor.

14. (amended) A method according to claim 1 ~~to 4~~ wherein the compound is a soluble CD 14 receptor.

15. (amended) A method according to claim 1 ~~to 4~~ wherein the compound is a drug blocking effectively signaling through toll-like receptors, for instance toll-like receptor 4 and toll-like receptor 2.

16. (amended) A method according to claim 1 ~~to 4~~ wherein the compound is colostrum of human, bovine, or other mamallian origin.

Amended Claims - Marked-Up Copy

17. (amended) A method according to claim 1 ~~to 4~~ wherein the compound is able to inhibit the response by a cell to endotoxin (lipopolysaccharide; LPS).

18. (amended) A method according to claim 1 ~~to 4, and 17~~ wherein the compound is able to decrease the cytokine production by a cell in response to endotoxin (lipopolysaccharide; LPS).

19. (amended) A method according to claim 1, ~~2 and 17, and 18~~ wherein the compound is a compound named in claim 5 to 16.

20. (amended) A method according to ~~any one of the preceding claims~~ claim 1 wherein the compound is administered orally.

21. (amended) A method according to ~~any one of the preceding claims~~ claim 1 wherein the compound is administered intravenously.

22. (amended) A method according to ~~any one of the preceding claims~~ claim 1 wherein the compound is administered rectally.

23. ~~The combined application of any method or use of any of the preceding claims in an individual patient.~~



Amended Claims - Clean Copy

1. A method of treating or ameliorating body wasting or cachexia in a patient with liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis in a patient the method comprising administering to the *patient* an effective amount of a compound that is able to reduce the production, *absorption and/or* the effect of an endotoxin (lipopolysaccharide; LPS).

2.(amended) A method according to claim 1, further treating, preventing or ameliorating endotoxin-mediated immune activation in body wasting or cachexia in a patient with liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis the method comprising administering to the patient an effective amount of a compound that is able to reduce the production, absorption and/or the effect of an endotoxin (lipopolysaccharide; LPS).

3.(amended) A method according to claim 1 wherein the compound is able to bind to an endotoxin (lipopolysaccharide; LPS) molecule.

4.(amended) A method according to claim 1 wherein the compound is able to reduce *the* available endotoxin in the patient.

Amended Claims - Clean Copy

5.(amended) A method according to claim 1 wherein the compound is a bile acid.

6.(amended) A method according to claim 1 wherein the bile acid is any one of ursodesoxycholic acid, chenodeoxycholic acid, dehydrocholic acid, cholic acid and deoxycholic acid.

7.(amended) A method according to claim 1 wherein the compound is LPS binding protein.

8.(amended) A method according to claim 1 wherein the compound is bactericidal/permeability increasing protein (BPI).

9.(amended) A method according to claim 1 wherein the compound is, a lipoprotein, for instance, low density lipoprotein (LDL), high density lipoprotein (HDL), very low density lipoprotein (VLDL), apolipoprotein (a), a lipoprotein mixture.

10.(amended) A method according to claim 1 wherein the treatment is a combination of a compound according claim 7 and claim 9.

Amended Claims - Clean Copy

11.(amended) A method according to claim 1 wherein the compound is or an antibody capable of binding to endotoxin (lipopolysaccharide; LPS).

12.(amended) A method according to claim 1 wherein the compound is or an antibody capable of binding to endotoxin (lipopolysaccharide; LPS).

13.(amended) A method according to claim 1 wherein the compound is an antibody able to bind to the CD14 receptor.

14.(amended) A method according to claim 1 wherein the compound is a soluble CD 14 receptor.

15. (amended) A method according to claim 1 wherein the compound is a drug blocking effectively signaling through toll-like receptors, for instance toll-like receptor 4 and toll-like receptor 2.

16.(amended) A method according to claim 1 wherein the compound is colostrum of human, bovine, or other mamallian origin.

Amended Claims - Clean Copy

17. (amended) A method according to claim 1 wherein the compound is able to inhibit the response by a cell to endotoxin (lipopolysaccharide; LPS).

18. (amended) A method according to claim 1 wherein the compound is able to decrease the cytokine production by a cell in response to endotoxin (lipopolysaccharide; LPS).

19. (amended) A method according to claim 1 wherein the compound is a compound named in claim 5 to 16.

20. (amended) A method according to claim 1 wherein the compound is administered orally.

21. (amended) A method according to claim 1 wherein the compound is administered intravenously.

22. (amended) A method according to claim 1 wherein the compound is administered rectally.

## THERAPY AND USE OF COMPOUNDS IN THERAPY

The present invention relates to therapy and the use of agents in the therapy of cachexia and wasting syndromes due to diseases other than congestive heart failure. Cachexia occurs in a number of other chronic diseases, like liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis. Cachexia and weight loss are linked to inflammatory processes and they are linked to increased mortality and/or morbidity. Cytokine activation is a potential causal mechanism for the development of cachexia also in these other diseases.

No one has previously proposed that one or all of the following agents may be useful in the management of patients with cachexia due to liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis:

- a bile acid,
- BPI,
- LPS binding protein or a functional equivalent thereof
- an antibody capable of binding to endotoxin,
- the combination of lipoproteins and LPS binding protein
- activated charcoal, Fuller's earth, attapulgit, kaolin or bentonite or a clay,
- an antibody able to bind the CD14 receptor,
- a soluble CD14 receptor,
- a drug blocking effectively signaling through toll-like receptors, particularly toll-like receptor 4 and 2
- colostrum of human, bovine, or other mammalian origin

The following classes of patients in particular may benefit from treatment

1. Patients with liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis.
2. Patients with cachexia due to liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis.

It is preferred that the patient has cachexia, as characterised by loss of muscle, fat, and or bone tissue.

It is preferred that the patient has experienced weight loss >7.5%.

5

It is preferred that the compound is able to substantially reduce the biological activity of endotoxin (lipopolysaccharide) such that the endotoxin mediated production of inflammatory cytokines in the circulating blood is reduced..

10 By "bile acid" we include all naturally occurring bile acids whether from man or from another animal. Also is included bile acids which are synthetic or semi-synthetic derivatives of naturally occurring bile acids. Of course, all bile acids including those that are "naturally occurring" may be synthesised chemically.

15 Bile acids are available from Falk Pharma GmbH and are described, for example, in WP96/17859, DE29717252 and WO98/05339.

Bile acids for use in the method of the invention include, but are not limited to, chemodeoxycholic acid (3 $\alpha$ , 7 $\alpha$  - dihydroxy-5-cholan-24-oic acid), arsodeoxycholic acid (3 $\alpha$ ,  
20 7-dihydroxy-5-cholan-24-oic acid), dehydrocholic acid (3,7,12-trioxo-5-cholan-24-oic acid), cholic acid and deoxycholic acid.

Preferably, the bile acid is a bile acid which is able to form micelles. Preferably, the bile acid is able to form a micelle around an endotoxin (lipopolysaccharide molecule). It is particularly  
25 preferred that the bile acid is able to bind to endotoxin (lipopolysaccharide) molecules and substantially reduce the available endotoxin in the patient. In particular, it is preferred if the bile acid is able to substantially reduce the biological activity of endotoxin (lipopolysaccharide) such that the endotoxin has a substantially reduced effect on the liver or does not reach the liver in a substantially active form.

30

It is preferred if the bile acid is any one of ursodeoxycholic acid, chenodeoxycholic acid, dehydrocholic acid, cholic acid and deoxycholic acid.

It is preferred if the bile acid is ursodeoxycholic acid.

5

Originally, UDCA was registered for the medical treatment of gallstones (Leuschner et al. Our ten year experience in gallstone dissolution. Comparison with the national Canadian gallstone (NCGS, USA) and the Tokyo co-operative gallstone study (TCGS, Japan). Gastroenterology 1982, 82:1113). Ursodeoxycholic acid has for many years been proposed to  
10 be useful also in patients with cholestatic disease, and particularly in patients with primary biliary cirrhosis, a chronic cholestatic liver disease (Lindor et al. Effects of ursodeoxycholic acid on survival in patients with primary biliary cirrhosis. Gastroenterology 1996, 110:1515-1518). In analogy, UDCA is used in other cholestatic disorders like primary sclerosing cholangitis (Beuers et al: Therapie der autoimmunen Hepatitis, primär biliären Zirrhose und  
15 primär sklerosierenden Cholangitis. Konsensus der Deutschen Gesellschaft für Verdauungs- und Stoffwechselkrankheiten. Z. Gastroenterologie 1997; 35:1041-1049) or benign cholestasis of pregnancy (Palma et al. Ursodeoxycholic acid in the treatment of cholestasis of pregnancy: a randomized, double-blind study controlled with placebo. J Hepatol 1997, 27:1022-1028). Regarding its mode of action, most authorities regard increased bile flow and  
20 a reduced hepatocellular insult as a result of improved bile flow and altered bile salt patterns as the main modes of UDCA action in chronic cholestatic liver diseases.

However, a very recent meta-analysis concluded that "Published randomised controlled trials of UDCA do not show evidence of therapeutic benefit in primary biliary cirrhosis and its use  
25 as standard therapy needs to be re-examined." (Goulis et al. Randomised controlled trials of ursodeoxycholic-acid therapy for primary biliary cirrhosis: a meta-analysis. Lancet 1999 Sep 25;354:1053-1060.)

As for other liver diseases another recent review article concluded "Ursodeoxycholic acid is  
30 of unproven efficacy in non-cholestatic disorders such as acute rejection after liver transplantation, non-alcoholic steatohepatitis, alcoholic liver disease and chronic viral hepatitis." Trauner M and Graziadei IW. Review article: mechanisms of action and

therapeutic applications of ursodeoxycholic acid in chronic liver diseases. *Aliment Pharmacol Ther.* 1999 Aug; 13(8): 979-996.

Therefore, treatment with ursodeoxycholic acid (UDCA) can not be considered a treatment  
5 with proven efficacy in patients with liver disease.

It has never been suggested that ursodeoxycholic acid (UDCA) should be specifically given to patients with cachexia due to liver cirrhosis.

10 It has never been suggested that ursodeoxycholic acid (UDCA) should be specifically given to patients with alcoholic liver cirrhosis. In fact, such patients were specifically excluded from studies.

Alterations in nutritional state leading to abnormal body composition are detectable already in  
15 early stages of liver cirrhosis and are clinically overt in the great majority of patients with advanced disease. Despite the well accepted prognostic role of cachexia or protein-energy-malnutrition in cirrhosis its pathogenesis is not fully understood. Although alcohol abuse and inadequate nutrient composition may play some role in patients with alcoholic liver disease this clearly is not operative in patients with liver disease of other etiology in whom  
20 malnutrition is as great a problem as in those with alcoholic liver disease (Plauth et al: ESPEN guidelines for nutrition in liver disease and transplantation. *Clin Nutr* 1997, 16:43-55). Nutrient intake is reduced in many patients with advanced liver cirrhosis and does not match requirements. It is unknown, however, whether food intake is reduced as a consequence of mechanical factors such as ascites or due to altered appetite regulation or  
25 other processes.

It is long known that endotoxaemia occurs in a number of patients with liver cirrhosis. It is not known, whether endotoxin (LPS) levels are particularly raised in patients with cachexia due to liver cirrhosis.

30 Depending of the severity of the liver cirrhosis process, cachexia occurs in 30 to 60% of patients with liver cirrhosis, and the survival of patients with cachexia in liver cirrhosis is impaired. (Plauth et al: ESPEN guidelines for nutrition in liver disease and transplantation.



Clin Nutr 1997, 16:43-55). There is no known specific therapy for these patients, and randomised placebo controlled clinical trials to reverse the cachexia in liver cirrhosis patients, and particularly in those with alcohol induced liver cirrhosis have not been performed. Additionally, patients with a body cell mass (BCM) < 35% of body weight have reduced survival also after liver transplantation, and the 5-year survival rate is 54% compared to 88% in patients with BCM >35% ( $p < .01$ ) (Selberg et al. Identification of high- and low-risk patients before liver transplantation: a prospective cohort study of nutritional and metabolic parameters in 150 patients. Hepatology 1997;25:652-657).

It has also been suggested that bile acids can protect the liver against endotoxin action in obstructive jaundice when patients undergo surgery (Greve et al. Bile acids inhibit endotoxin-induced release of tumor necrosis factor by monocytes: an in vitro study. Hepatology 1989 Oct;10(4):454-458). With regards to monocyte generated cytokine production in response to LPS, in this study deoxycholic acid was the most effective, chenodeoxycholic acid was less effective and ursodeoxycholic acid was ineffective in the concentrations used. Bile acids did not inactivate endotoxin as measured in a chromogenic Limulus amoebocyte lysate assay. In these studies patients with non-cholestatic or alcoholic aetiology were not considered, and there was no data or discussion of cachexia and weight loss.

In experiments, rats with obstructive jaundice, LPS was administered via the portal vein. In UDCA-treated rats, the endotoxin concentration was significantly lower, however, that UDCA had no effect on the TNF-alpha levels (Hori Y & Ohyanagi H. Protective effect of the intravenous administration of ursodeoxycholic acid against endotoxaemia in rats with obstructive jaundice. Surg-Today 1997;27:140-144). In a case control study UDCA showed also no clinical benefit in patients with chronic hepatitis C, and serum TNF and IL-6 levels could not be shown to be affected by UDCA treatment (Lu et al. Efficacy of ursodeoxycholic acid in the treatment of patients with chronic hepatitis C. J Gastroenterol Hepatol 1995;10:432-437).

In summary, the immunological effects of ursodeoxycholic acid (UDCA) on plasma LPS and cytokine levels are poor in these studies, and the cellular effects of ursodeoxycholic acid (UDCA) are conflicting.

It is important to note that it has never been proposed that ursodeoxycholic acid (UDCA) should be given in patients with weight loss, i.e. cachexia, in patients with liver disease. It has never been proposed that ursodeoxycholic acid (UDCA) could prevent or reverse weight loss, i.e. cachexia, in patients with liver disease. Additionally, it has never been proposed that  
5 ursodeoxycholic acid (UDCA) could prevent or reverse weight loss, i.e. cachexia, in patients with chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis.

The invention will now be described by reference to the following additional examples and  
10 figures.

**Example 1:**

We have tested the ability of ursodeoxycholic acid (UDCA, FALK Pharma GmbH) and BPI to inhibit LPS-mediated TNF production in whole blood of patients with cachexia.

15 We studied 4 patients with cachexia due to liver cirrhosis. The patients had all weight loss >7.5% compared to their previous normal weight. In 3 of the 4 patients had a alcoholic aetiology. All patients were studied twice on 2 subsequent days (day "-1" and day "0"), see Figure 9 to 12.

**Methods:** Heparinized whole blood was diluted 1:10 with medium +/- LPS (50 pg/ml), +/-  
20 BPI (1 µg/ml), and +/- UDCA (1 µg/ml – 1 mg/ml) according to the manufacturer's recommendation (Milenia whole blood assay ; DPC Biermann, Bad Nauheim, Germany) and incubated for 4 hours at 37°C. In the supernatant, we assessed concentrations of TNF and IL-6 using the semiautomated Immulite system (DPC-Biermann, Bad Nauheim, Germany).

**Results:** In patients with cachexia due to liver cirrhosis spontaneous ("Control" data) and  
25 LPS-stimulated production of TNF and IL6 is significantly elevated compared to that of healthy subjects. LPS-stimulated cytokine production was inhibited by UDCA independently of the effects of the ethanol solution. The detailed results are presented in Figure 9 to 12. 1mg/ml UDCA reduced LPS-stimulated TNF production on average by >99% and IL6 production by 97% (ethanol 1% alone on average only by 38% for TNF and 43% for IL6).  
30 100 µg/ml UDCA reduced LPS-stimulated TNF and IL6 production by 42% and 13%, respectively, ethanol 0.1% alone on average only 9% for TNF and IL6 production increased by 18% for ethanol alone).

BPI (1 µg/ml) reduced significantly the spontaneous production of TNF and IL6 of whole blood of patients with cachexia due to liver cirrhosis. In 8 experiments 6 times TNF and IL6 levels, respectively, were lowered by at least 5 pg/ml or towards non-detectability, and only in 2 cases TNF and IL6 levels remained stable ( $p < 0.05$  for changes).

- 5 **Conclusion:** This is the first documentation that LPS-stimulated cytokine production of whole blood of patients with cachexia can be inhibited by in vitro application of ursodeoxycholic acid (UDCA). This is the first documentation that spontaneous production of inflammatory cytokines in whole blood of patients with cachexia can be inhibited by application of BPI in vitro.

10

#### **Example 2:**

We have tested the ability of the therapeutic application of ursodeoxycholic acid (UDCA, FALK Pharma GmbH) to lower plasma levels of TNF and IL6 and to lower spontaneous and LPS-stimulated whole blood cytokine production in patients with cachexia.

- 15 We studied in 2 patients with cachexia due to liver cirrhosis plasma cytokine levels after treatment with 3 times 250 mg daily UDCA (FALK Pharma GmbH). The patients had weight loss  $> 7.5\%$  compared to their previous normal weight. The patients were studied at baseline prior to the treatment on 2 subsequent days (day “-1” and day “0”), and then they were restudied on day 1 (“1”), day 2 (“2”), and day 5 (“5”), see Figure 9 and 12.

- 20 **Methods:** Heparinized whole blood was diluted 1:10 with medium +/- LPS (50 pg/ml), +/- BPI (1 µg/ml), and +/- UDCA (1 µg/ml – 1 mg/ml) according to the manufacturer's recommendation (Milenia whole blood assay ; DPC Biermann, Bad Nauheim, Germany) and incubated for 4 hours at 37°C. In the supernatant and in plasma, we assessed concentrations of TNF and IL-6 using the semiautomated Immulite system (DPC-Biermann, Bad Nauheim, Germany).

- 25 **Results:** Only patient 1 showed elevated plasma levels at baseline (Figure 9). During 5 days of treatment plasma levels of TNF were lower. In patient 4 we were able to reassess whole blood TNF and IL6 production after 1 and 2 days of treatment with UDCA. Spontaneous production of TNF and IL6 in whole blood was reduced substantially to almost undetectable levels. After 2 days of UDCA treatment LPS-stimulated cytokine production was found to be lowered by 43.5% for TNF and by 39.6% for IL6.

- 30 **Conclusion:** This is the first documentation that LPS-stimulated cytokine production of whole blood of patients with cachexia can be inhibited by in vivo therapeutic application of

ursodeoxycholic acid (UDCA). This is the first documentation that plasma levels of TNF alpha of patients with cachexia can be inhibited by application of BPi.

**Example 3: Endotoxin in cachectic patients with liver cirrhosis.**

5 It has never been studied, whether endotoxin (LPS) or a marker of endotoxaemia may be raised in patients with liver cirrhosis who suffer from cachexia. Plasma levels of soluble CD14 (sCD14) can reflect the history of LPS – cell interaction (Anker et al., Am J Cardiol 1997; ;79:1426-1430.).

10 We investigated in 46 patients with liver cirrhosis (54±12 years, female 15, male 31, Child A:B:C=24:13:9), alcoholic aetiology in 32 patients) resting energy expenditure (REE, indirect calorimetry), food intake diaries, fat mass (skin fold thickness and calculation according to standard formulae) and body cell mass (BCM, body impedance, Data Input 2000, USA). Soluble CD14 was measured by ELISA (R&D Systems). The majority of patients had a BCM of <35% of body weight (mean±standard deviation: 25±7%, median 33%, range 11.8 –  
15 41.9%). Plasma sCD14 levels were significantly increased in patients (mean±standard deviation: 4045±623 pg/ml, median 3920 pg/ml, range 2960 – 5460 pg/ml) compared to sCD14 levels of healthy individuals (mean: 2714 pg/ml, upper limit of normal 3711 pg/ml, as published in Anker et al., Am J Cardiol 1997; ;79:1426-1430).

20 The patients with low BCM relative to their body weight must be considered to suffer from wasting disease, which was the majority in this study (63% of patients had a BCM <35%/kg body weight). The majority of patients in this study were metabolically catabolic as evidenced by a REE/BCM coefficient of 67±19 kcal/kg BCM (range 43 – 163, normal range in healthy subjects: 45 – 55 kcal/kg).

25 The strongest correlation that we found was between the degree of wasting (BCM per kg body weight) and the marker of endotoxaemia, i.e. soluble CD14 ( $r=-0.565$ ,  $p<0.001$ ). This means, the lower the relative BCM (i.e. the more cachectic) a patient was the higher the were also the sCD14 plasma levels. Plasma levels of sCD14 also correlated closely and directly with the degree of catabolic energetic/metabolic status (i.e. the REE/ BCM coefficient),  $r=0.549$ ,  $p<0.001$ .

30 **Conclusion:** This is the first study suggesting that endotoxin (LPS) levels in patients with liver cirrhosis may be particularly high in patients with cachexia. This study also suggests that endotoxin (LPS) is causally related to the characteristics of the cachexia syndrome in liver cirrhosis, i.e. reductions in muscle tissue and increases in metabolic rate.

**Example 4: LBP in cachectic patients due to liver cirrhosis.**

We have studied LBP plasma levels in 6 patients with cachexia due to liver cirrhosis. The patients had weight loss >7.5% compared to their previous normal weight. The disease  
5 aetiology was thought to be alcoholic in 4 cases and non-alcoholic in 2 cases. In non of these patients increased LBP levels were found (all below 20  $\mu\text{g/ml}$ ). High levels LBP can (together with lipoproteins) block LPS mediated production of inflammatory cytokines. We conclude that LBP is lacking in patients with cachexia due to liver cirrhosis, and that the application of LBP, possibly together with lipoproteins, could counteract the inflammatory  
10 status seen in these patients.

## CLAIMS

1. A method of treating or ameliorating body wasting or cachexia in a patient with liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid  
15 arthritis in a patient the method comprising administering to the patient an effective amount of a compound that is able to reduce the production, absorption and/or the effect of an endotoxin (lipopolysaccharide; LPS).
2. A method of treating, preventing or ameliorating endotoxin-mediated immune activation in body wasting or cachexia in a patient with liver cirrhosis, chronic obstructive pulmonary  
20 disease, chronic renal failure, diabetes, rheumatoid arthritis the method comprising administering to the patient an effective amount of a compound that is able to reduce the production, absorption and/or the effect of an endotoxin (lipopolysaccharide; LPS).
3. A method according to claim 1 and 2 wherein the compound is able to bind to an endotoxin (lipopolysaccharide; LPS) molecule.
- 25 4. A method according to claim 1 to 3 wherein the compound is able to reduce the available endotoxin in the patient.
5. A method according to claim 1 to 4 wherein the compound is a bile acid.
6. A method according to claim 1 to 4 wherein the bile acid is any one of ursodesoxycholic acid, chenodeoxycholic acid, dehydrocholic acid, cholic acid and deoxycholic acid.

7. A method according to claim 1 to 4 wherein the compound is LPS binding protein.
8. A method according to claim 1 to 4 wherein the compound is bactericidal/permeability increasing protein (BPI).
9. A method according to claim 1 to 4 wherein the compound is, a lipoprotein, for instance,  
5 low density lipoprotein (LDL), high density lipoprotein (HDL), very low density lipoprotein (VLDL), apolipoprotein (a), a lipoprotein mixture.
10. A method according to claim 1 to 4 wherein the treatment is a combination of a compound according claim 7 and claim 9.
11. A method according to claim 1 to 4 wherein the compound is or an antibody capable of  
10 binding to endotoxin (lipopolysaccharide; LPS).
12. A method according to claim 1 to 4 wherein the compound is or an antibody capable of binding to endotoxin (lipopolysaccharide; LPS).
13. A method according to claim 1 to 4 wherein the compound is an antibody able to bind to the CD14 receptor.
- 15 14. A method according to claim 1 to 4 wherein the compound is a soluble CD14 receptor.
15. A method according to claim 1 to 4 wherein the compound is a drug blocking effectively signaling through toll-like receptors, for instance toll-like receptor 4 and toll-like receptor 2.
16. A method according to claim 1 to 4 wherein the compound is colostrum of human, bovine, or other mamallian origin.
- 20 17. A method according to claim 1 to 4 wherein the compound is able to inhibit the response by a cell to endotoxin (lipopolysaccharide; LPS).
18. A method according to claim 1 to 4, and 17 wherein the compound is able to decrease the cytokine production by a cell in response to endotoxin (lipopolysaccharide; LPS).
19. A method according to claim 1, 2 and 17, and 18 wherein the compound is a compound  
25 named in claim 5 to 16.

20. A method according to any one of the preceding claims wherein the compound is administered orally.

21. A method according to any one of the preceding claims wherein the compound is administered intravenously.

5 22. A method according to any one of the preceding claims wherein the compound is administered rectally.

23. The combined application of any method or use of any of the preceding claims in an individual patient.



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INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

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<b>(21) International Application Number:</b> PCT/EP00/02062		<b>(74) Agent:</b> BAUMBACH, Fritz; Robert-Rössle-Strasse 10, D-13125 Berlin (DE).	
<b>(22) International Filing Date:</b> 9 March 2000 (09.03.00)		<b>(81) Designated States:</b> AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, DZ, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).	
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<b>(54) Title:</b> THERAPY AND USE OF COMPOUNDS IN THERAPY			
<b>(57) Abstract</b> <p>The present invention relates to therapy and the use of agents in the therapy of cachexia and wasting syndromes due to diseases other than congestive heart failure. Cachexia occurs in a number of other chronic diseases, like liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis. Cachexia and weight loss are linked to inflammatory processes and they are linked to increased mortality and/or morbidity. Cytokine activation is a potential causal mechanism for the development of cachexia also in these other diseases. The invention describes a method of treating or ameliorating body wasting or cachexia in a patient with liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis in a patient. The method comprises administering to the patient an effective amount of a compound that is able to reduce the production, absorption and/or the effect of an endotoxin (lipopolysaccharide; LPS). The invention describes also a method of treating, preventing or ameliorating endotoxin-mediated immune activation in body wasting or cachexia in a patient with liver cirrhosis, chronic obstructive pulmonary disease, chronic renal failure, diabetes, rheumatoid arthritis. The method comprises administering to the patient an effective amount of a compound that is able to reduce the production, absorption and/or the effect of an endotoxin (lipopolysaccharide; LPS).</p>			

10/019452

Figure 1:

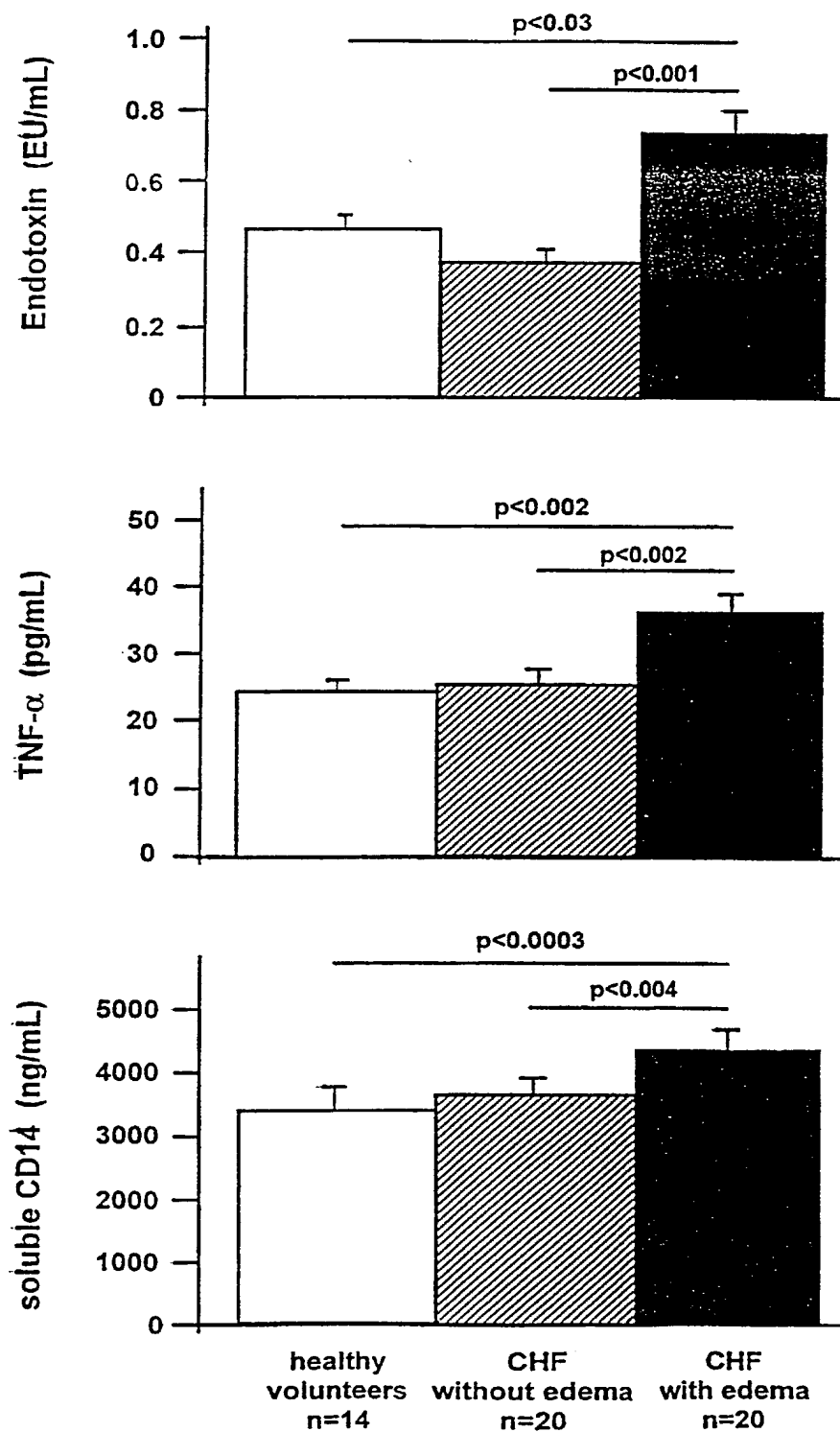
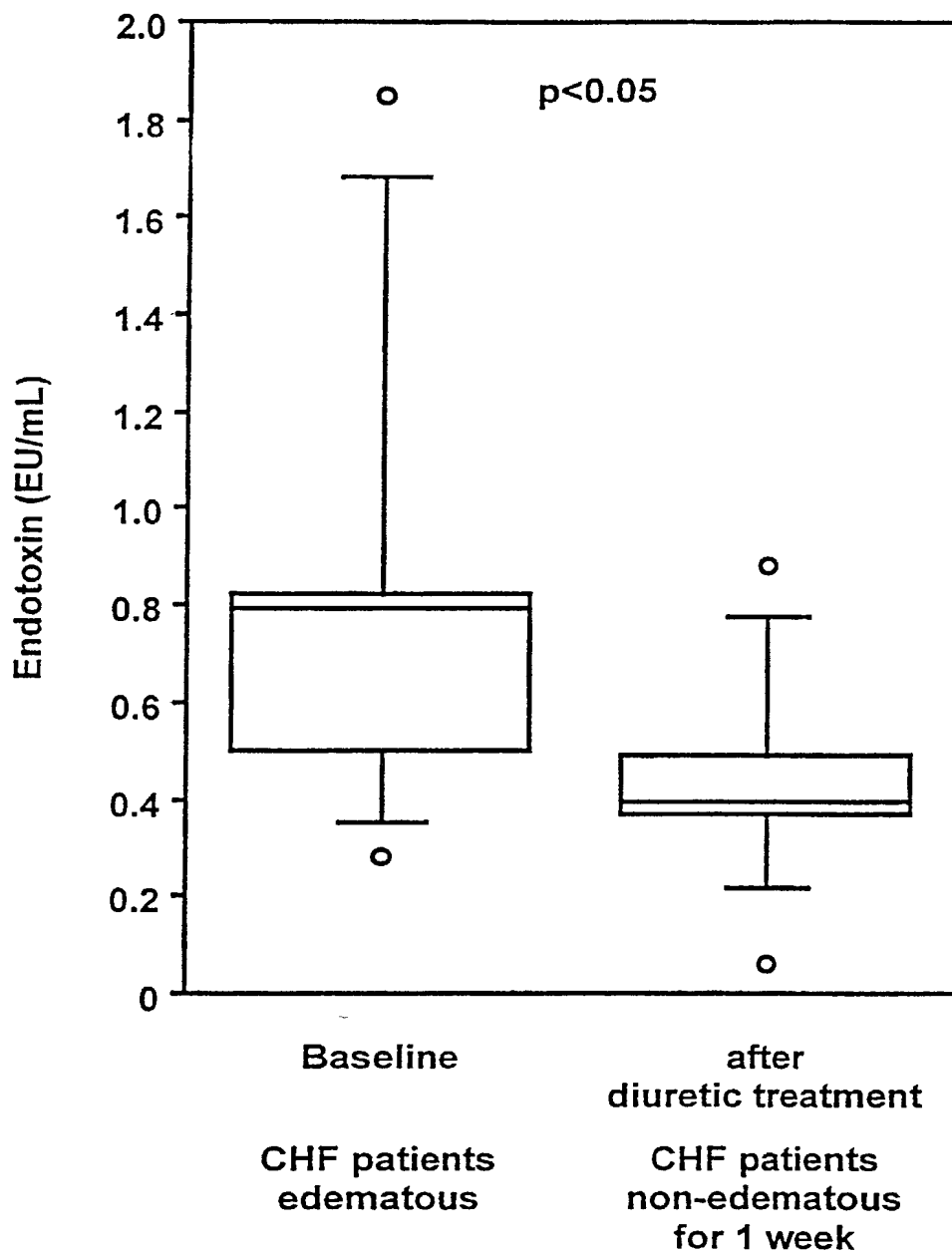
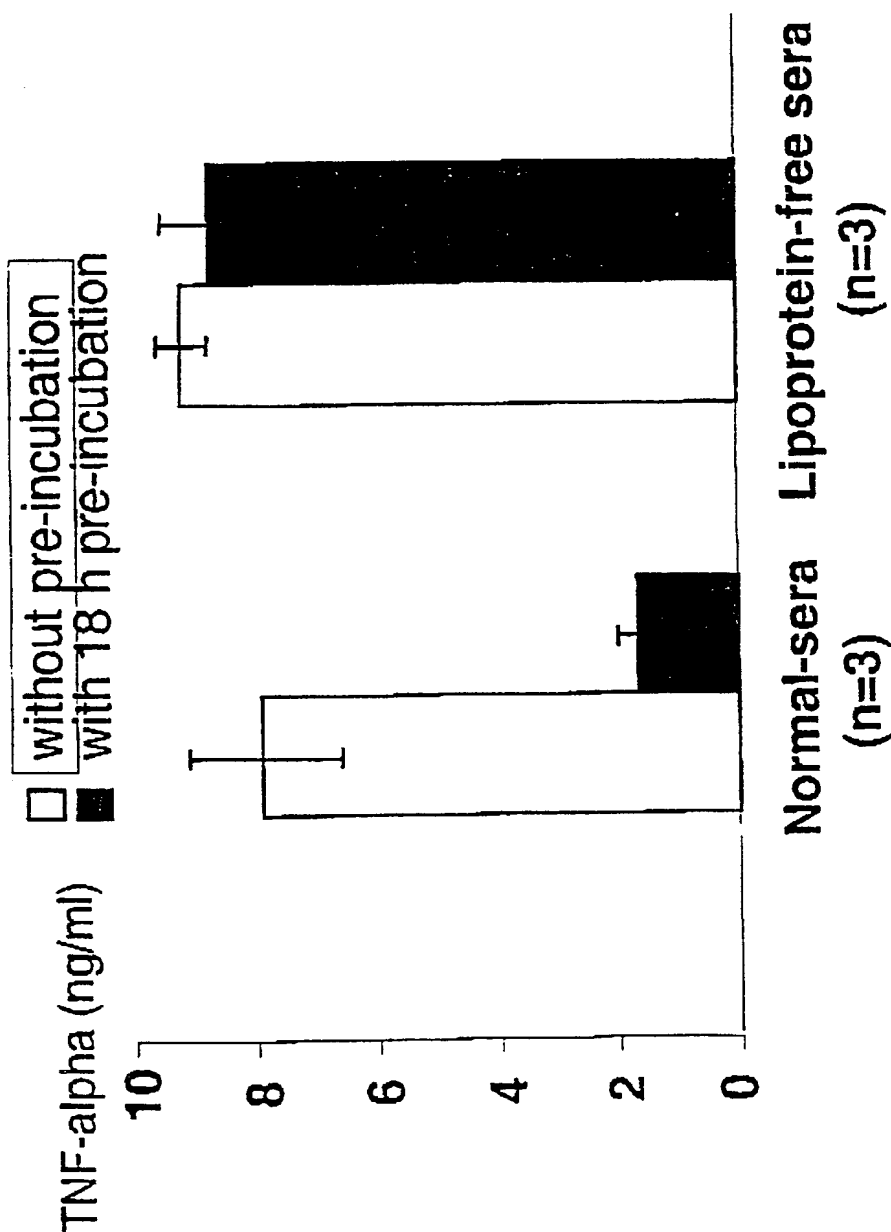


Figure 2:





**Figure 3: Lipoprotein-free serum lacks LPS-neutralizing activity**

Sera were incubated with 3 ng/ml LPS and added to human monocytes directly or after a 18 h pre-incubation time

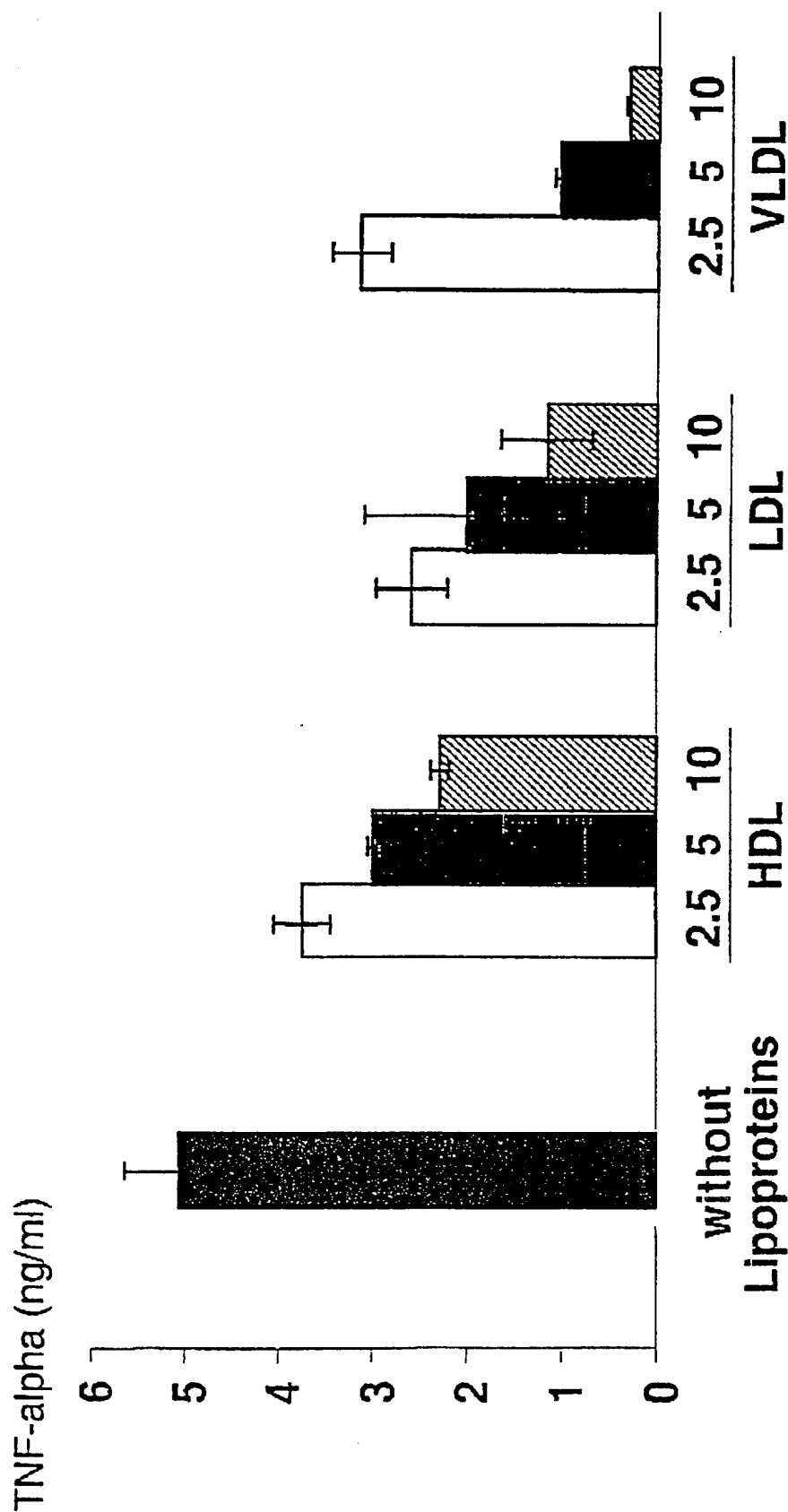
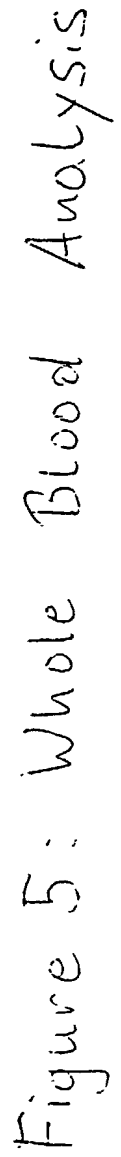


Figure 4: Lipoproteins including HDL, LDL and VLDL inhibit LPS-induced TNF-release of monocytes. The effects of LDL and VLDL are even stronger than that of HDL. In all experiments: n=3  
Lipoproteins were added to Lipoprotein-free Serum (5 %) and incubated for 17 h with 3 ng/ml LPS before addition to monocytes



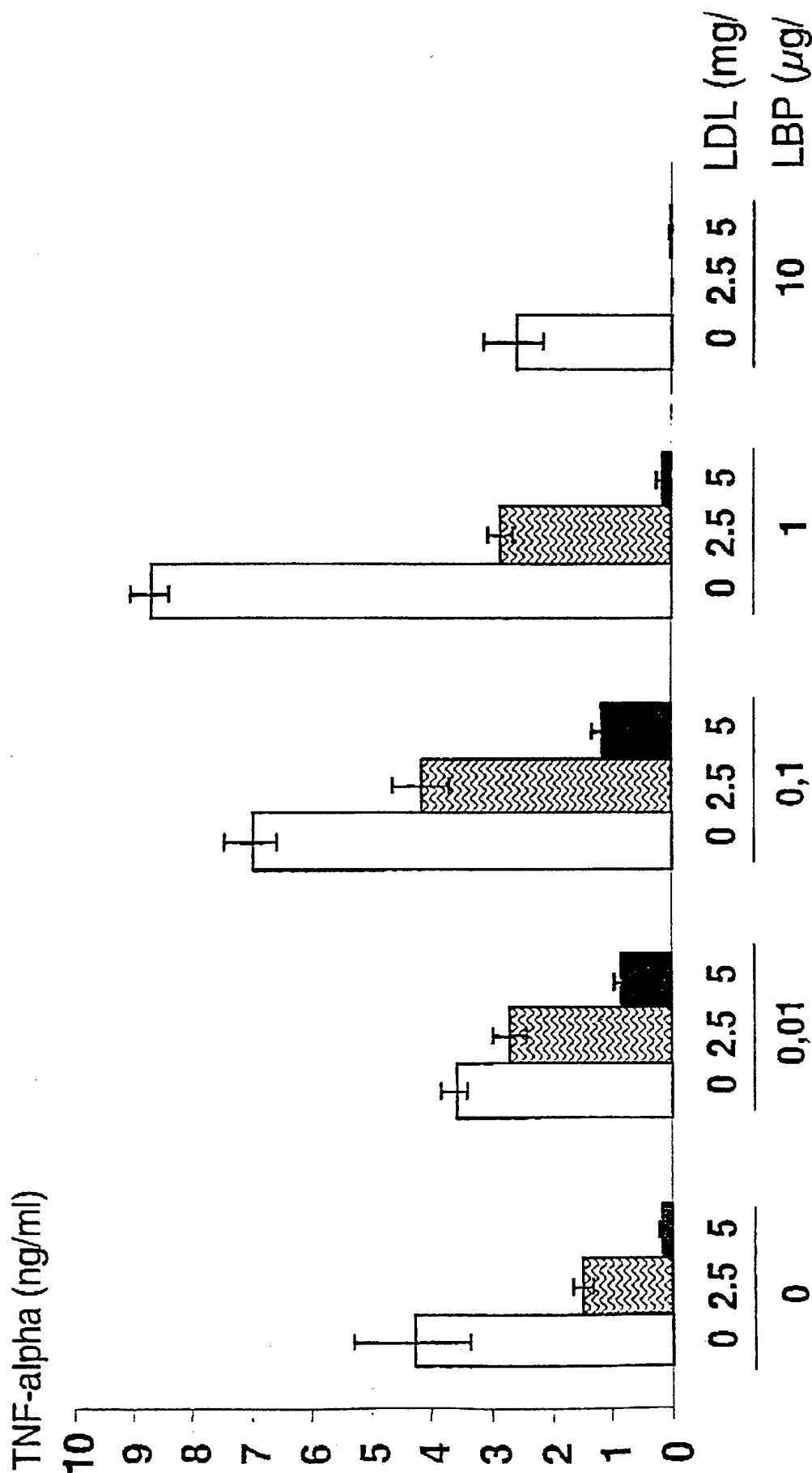
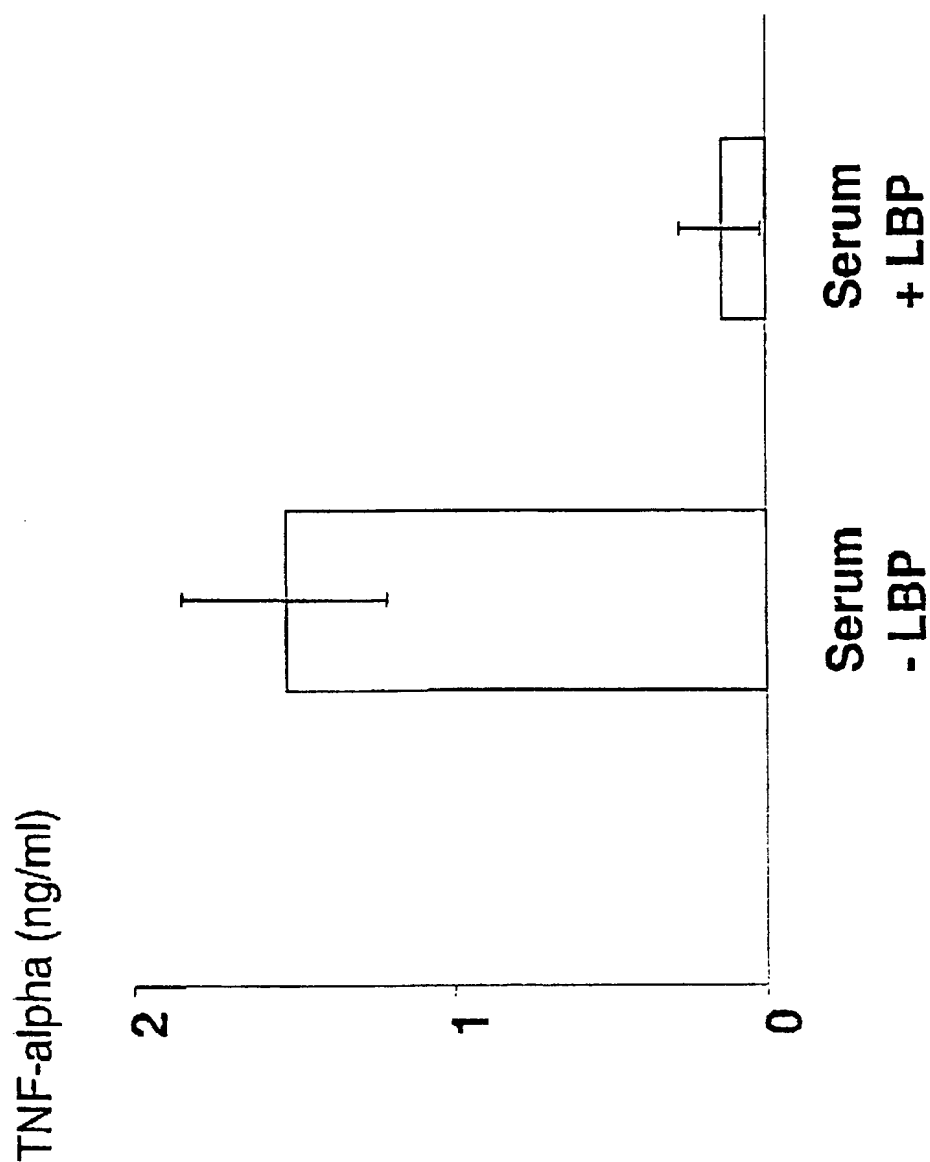


Figure 6: In the presence of elevated LBP-concentrations lipoproteins show enhanced LPS-neutralization capacity. In all experiments: n=3.

LBP and LDL were pre-incubated for 17 h before cell stimulation with 3 ng/ml LPS



**Figure 7: Addition of LBP to lipoprotein containing serum reduces LPS-mediated TNF production (n=3).**

Normal serum +/- 10 µg/ml LBP was incubated with 3 ng/ml LPS for 16 h, and then added to monocytes



Figure 8: LPS - Neutralisation by UDCA in whole blood of 4 healthy subjects

Measurements by Immulite	Control D			Control J		Control Ch		Control F	
	TNF	IL6	pg/ml	TNF $\alpha$	IL6	TNF $\alpha$	IL6	TNF $\alpha$	IL6
	pg/ml			pg/ml		pg/ml		pg/ml	
Control, blood alone (Con)	6.7	<5		4.6	<5	14	8	15.4	<5
Con + 50 pg/ml LPS	294	301		456	380	486	300	589	487
Con + BPI (1 $\mu$ g/ml)	<4	<5		6.9	<5	6.9	<5	8	<5
Blood with UDCA 1 mg/ml ( 1% ethanol)	4.8	<5		6	6.5	<4	8.5	<4	<5
+ LPS + UDCA	<4	5.6		<4	<5	6.4	9.1	<4	<5
+ LPS + Ethanol 1% (no UDCA)	126	119		315	286	407	318	430	408
Blood with UDCA 100 $\mu$ g/ml (0.1% ethanol)	10.6	<5		14	<5	42.7	46.3	16	<5
+ LPS + UDCA	114	114		41.3	20.4	49.6	306	397	419
+ LPS + Ethanol 0.1% (no UDCA)	265	230		221	263	599	375	569	414
Blood with UDCA 10 $\mu$ g/ml (0.01% ethanol)	8.5	<5		8.3	<5	13.7	9	12.3	<5
+ LPS	279	248		432	358	617	400	600	499

Figure 9: LPS - Neutralisation by UDCA in whole blood in patient 1

	P1 / -1			P1 / 0			P1 / 1			P1 / 2			P1 / 5		
Measurements by Immulite	TNF	IL6	pg/ml	TNF $\alpha$	IL6	pg/ml	TNF $\alpha$	IL6	pg/ml	TNF $\alpha$	IL6	pg/ml	TNF $\alpha$	IL6	pg/ml
	Control, blood alone (Con)	28.7	11.2	70.2	35.2										
Con + 50 pg/ml LPS	878	573		938	723										
Con + BPI (1 $\mu$ g/ml)	29.7	< 5		15.1	< 5										
Blood with UDCA 1 mg/ml ( 1% ethanol) + LPS + UDCA + LPS + Ethanol 1% (no UDCA)	< 4	12.8	10.	9.8											
	< 4	10.7	6.4	6.0											
			648	278											
Blood with UDCA 100 $\mu$ g/ml (0.1% ethanol) + LPS + UDCA + LPS + Ethanol 0.1% (no UDCA)	8.5	7.8	24.5	19.7											
	813	153	692	773											
			886	580											
Blood with UDCA 10 $\mu$ g/ml (0.01% ethanol) + LPS	38.0	11.4	93.0	45.7											
	952	597	1013	853											
Plasma levels			9.1	26.7	8.3	28.8	< 4	20.5	5.8	28.1					

Figure 10: LPS - Neutralisation by UDCA in whole blood in patient 2

Measurements by Immulite	P2 / -1		P2 / 0	
	TNF $\alpha$	IL6	TNF $\alpha$	IL6
	pg/ml		pg/ml	
Control, blood alone (Con)	29.0	10.5	47.5	25.6
Con + 50 pg/ml LPS	731	544	807	587
Con + BPI (1 $\mu$ g/ml)	17.0	<5	9.8	<5
Blood with UDCA 1 mg/ml (1% ethanol)	<4	10.1	<4	7.8
+ LPS + UDCA	9.7	<5	<4	5.4
+ LPS + Ethanol 1% (no UDCA)	569	419	540	405
Blood with UDCA 100 $\mu$ g/ml (0.1% ethanol)	14.6	7.0	35.2	19.5
+ LPS + UDCA	271	343	459	391
+ LPS + Ethanol 0.1% (no UDCA)	712	546	993	788
Blood with UDCA 10 $\mu$ g/ml (0.01% ethanol)	42.4	26.2	54.1	32.0
+ LPS	712	622	744	532
Plasma levels	4.9	6.6	<4	7.6

Figure 11: LPS - Neutralisation by UDCA in whole blood in patient 3

Measurements by Immulite	P3 / -1		P3 / 0	
	TNF $\alpha$	IL6	TNF $\alpha$	IL6
	pg/ml		pg/ml	
Control, blood alone (Con)	43.1	7.9	52.1	12.9
Con + 50 pg/ml LPS	450	378	490	346
Con + BPI (1 $\mu$ g/ml)	16.4	< 5	10.0	< 5
Blood with UDCA 1 mg/ml ( 1% ethanol)	6.5	10.4	< 4	9.1
+ LPS + UDCA	< 4	10.3	< 4	10.7
+ LPS + Ethanol 1% (no UDCA)	208	108	288	169
Blood with UDCA 100 $\mu$ g/ml (0.1% ethanol)	12.1	9.4	21.7	8.4
+ LPS + UDCA	48.0	63.5	241	382
+ LPS + Ethanol 0.1% (no UDCA)	383	285	448	346
Blood with UDCA 10 $\mu$ g/ml (0.01% ethanol)	34.7	8.0	39.4	10.7
+ LPS	375	310	468	366
Plasma level	13.0	17.1	10.2	15.9

Figure 12: LPS - Neutralisation by UDCA in whole blood in patient 4

	P4 / -1			P4 / 0			P4 / 1			P4 / 2		
	TNFα	IL6	pg/ml	TNFα	IL6	pg/ml	TNFα	IL6	pg/ml	TNFα	IL6	
Measurements by Immulite												
Control, blood alone (Con)	34.5	10.4		29.5	10.2		4.7	< 5		4.0	< 5	
Con + 50 pg/ml LPS	224	98.4		172.0	77.5		156	88.9		100	46.8	
Con + BPI (1μg/ml)	18.1	< 5		33.5	7.1		< 4	< 5		< 4	< 5	
Blood with UDCA 1 mg/ml ( 1% ethanol) + LPS + UDCA + LPS + Ethanol 1% (no UDCA)	< 4	8.2		< 4	8.2		< 4	< 5		< 4	8.8	
	< 4	6.6		< 4	9.5		< 4	5.6		< 4	6.3	
	132	48.0		98.5	68.4		66.9	35.6		49.5	26.5	
Blood with UDCA 100μg/ml (0.1% ethanol) + LPS + UDCA + LPS + Ethanol 0.1% (no UDCA)	83.7	49.6		44.5	60.0		4.2	< 5		< 4	< 5	
	242	257		55.8	61.0		89.7	36.6		39.9	34.6	
	154	130		136.0	159		141	82.7		120	81.0	
Blood with UDCA 10 μg/ml (0.01% ethanol) + LPS	42.3	13.6		174	72.0		10.9	< 5		5.2	< 5	
	188	80.2		278	166		163	88.7		95.6	53.4	
Plasma levels	8.1	< 5		< 4	< 5		< 4	< 5		4.7	< 5	

1.000 3.000 4.000 5.000 6.000 7.000 8.000 9.000 10.000 11.000 12.000  
 Acker 11 #5

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New York, NY 10017

If each inventor understands English, the Declaration and Power of Attorney below is suitable for use when filing a regular patent application and also when entering the national stage, in the case of an International application designating the USA under the PCT.

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION			Attorney Docket No. 101195-																												
<p>As a below named inventor, I hereby declare that:          My residence, post office address and citizenship are as stated below next to my name,          I believe I am the original, first and sole inventor (if only one name is listed below at 201) or an original,          first and joint inventor (if plural names are listed below at 201-210) of the subject matter which is claimed          and for which a patent is sought on the invention entitled</p> <p style="margin-left: 40px;">Therapy and Use of Compounds in Therapy</p> <p>the specification of which (check one)</p> <p><input type="checkbox"/> is attached hereto</p> <p><input checked="" type="checkbox"/> was filed on <u>9 March 2000</u></p> <p>under Serial Number <u>PCT/EP00/02062</u> and was amended on _____          (if applicable).</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified specification,          including the claims, as amended by any amendment referred to above.</p> <p>I acknowledge the duty to disclose information which is material to the examination of this application in          accordance with Title 37, Code of Federal Regulations, Section 1.56.</p> <p>I list below any prior foreign application(s) for patent or inventor's certificate in respect of which foreign          priority benefits are claimed under 35 USC 119; and any prior foreign application(s) for patent or inventor's          certificate in respect of which such foreign priority rights are not claimed and which has a filing date before          that of any application in respect of which such foreign priority benefits are claimed:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Application Number</th> <th style="width: 25%;">Country</th> <th style="width: 25%;">Filing Date (day, month, year)</th> <th style="width: 25%;">Priority Claimed under 35 USC 119</th> </tr> </thead> <tbody> <tr> <td>9905315.9</td> <td>Great Britain</td> <td>9 March 1999</td> <td>YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/></td> </tr> <tr> <td>9905300.1</td> <td>Great Britain</td> <td>9 March 1999</td> <td>YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/></td> </tr> <tr> <td>9905310.0</td> <td>Great Britain</td> <td>9 March 1999</td> <td>YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/></td> </tr> <tr> <td>9905307.6</td> <td>Great Britain</td> <td>9 March 1999</td> <td>YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/></td> </tr> <tr> <td>9905314.2</td> <td>Great Britain</td> <td>9 March 1999</td> <td>YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/></td> </tr> </tbody> </table> <p>I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional          application(s) listed below.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 50%;">Application No.</td> <td style="width: 50%;">Filing Date</td> </tr> <tr> <td style="height: 20px;"></td> <td></td> </tr> </table>				Application Number	Country	Filing Date (day, month, year)	Priority Claimed under 35 USC 119	9905315.9	Great Britain	9 March 1999	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>	9905300.1	Great Britain	9 March 1999	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>	9905310.0	Great Britain	9 March 1999	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>	9905307.6	Great Britain	9 March 1999	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>	9905314.2	Great Britain	9 March 1999	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>	Application No.	Filing Date		
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9905315.9	Great Britain	9 March 1999	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>																												
9905300.1	Great Britain	9 March 1999	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>																												
9905310.0	Great Britain	9 March 1999	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>																												
9905307.6	Great Britain	9 March 1999	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>																												
9905314.2	Great Britain	9 March 1999	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>																												
Application No.	Filing Date																														

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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transmit all business in the Patent and Trademark Office connected therewith:

8 **Bruce S Londa (33,531) Lorimer P. Brooks (15,155) William R. Robinson (27,224)**  
**Kurt G. Brisco (33,141) William C. Gerstenzang (27,552) Robert A. Hyde (46,354)**  
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	Family Name	First Given Name	Second Given Name
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	<u>Zepernick Berlin</u>	<u>Germany</u>	<u>Germany</u> DEX
	Post Office Address	City	State & ZIP/Country
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	Family Name	First Given Name	Second Given Name
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	Family Name	First Given Name	Second Given Name
<b>209</b>	City of Residence	State or Foreign Country	Country of Citizenship
	Post Office Address	City	State & ZIP/Country



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<b>210</b>	Family Name	First Given Name	Second Given Name
	City of Residence	State or Foreign Country	Country of Citizenship
	Post Office Address	City	State & ZIP/Country

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201	<i>[Signature]</i>	Date	27/11/01
Signature of Inventor 202	<i>[Signature]</i>	Date	28/11/01
Signature of Inventor 203		Date	
Signature of Inventor 204		Date	
Signature of Inventor 205		Date	
Signature of Inventor 206		Date	
Signature of Inventor 207		Date	
Signature of Inventor 208		Date	
Signature of Inventor 209		Date	
Signature of Inventor 210		Date	

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<b>210</b>	Family Name	First Given Name	Second Given Name
	City of Residence	State or Foreign Country	Country of Citizenship
	Post Office Address	City	State & ZIP/Country

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201	<i>[Signature]</i>	Date	27/11/01
Signature of Inventor 202	<i>[Signature]</i>	Date	28/11/01
Signature of Inventor 203	<i>[Signature]</i>	Date	26/01/02
Signature of Inventor 204		Date	
Signature of Inventor 205		Date	
Signature of Inventor 206		Date	
Signature of Inventor 207		Date	
Signature of Inventor 208		Date	
Signature of Inventor 209		Date	
Signature of Inventor 210		Date	

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<b>210</b>	Family Name	First Given Name	Second Given Name
	City of Residence	State or Foreign Country	Country of Citizenship
	Post Office Address	City	State & ZIP/Country
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p>			
Signature of Inventor 201		<i>[Signature]</i>	Date 27/11/01
Signature of Inventor 202		<i>[Signature]</i>	Date 28/11/01
Signature of Inventor 203			Date
Signature of Inventor 204		<i>[Signature]</i>	Date x 20/12/01
Signature of Inventor 205			Date
Signature of Inventor 206			Date
Signature of Inventor 207			Date
Signature of Inventor 208			Date
Signature of Inventor 209			Date
Signature of Inventor 210			Date

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<b>210</b>	Family Name	First Given Name	Second Given Name
	City of Residence	State or Foreign Country	Country of Citizenship
	Post Office Address	City	State & ZIP/Country

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201	<i>[Signature]</i>	Date	27/11/01
Signature of Inventor 202	<i>[Signature]</i>	Date	28/11/01
Signature of Inventor 203		Date	
Signature of Inventor 204		Date	
Signature of Inventor 205	<i>[Signature]</i>	Date	18/12/01
Signature of Inventor 206		Date	
Signature of Inventor 207		Date	
Signature of Inventor 208		Date	
Signature of Inventor 209		Date	
Signature of Inventor 210		Date	

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<b>210</b>	Family Name	First Given Name	Second Given Name
	City of Residence	State or Foreign Country	Country of Citizenship
	Post Office Address	City	State & ZIP/Country

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201	<i>[Signature]</i>	Date	27/11/01
Signature of Inventor 202	<i>[Signature]</i>	Date	28/11/01
Signature of Inventor 203		Date	
Signature of Inventor 204		Date	
Signature of Inventor 205		Date	
Signature of Inventor 206	<i>[Signature]</i>	Date	24.11.02
Signature of Inventor 207		Date	
Signature of Inventor 208		Date	
Signature of Inventor 209		Date	
Signature of Inventor 210		Date	